

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA |) | Criminal No. 21-30028-MGM |
| |) | |
| v. |) | |
| |) | |
| BENJAMIN SHACAR |) | |

INTERIM STATUS CONFERENCE MEMORANDUM

The United States of America, by and through its attorneys, Acting United States Attorney Nathaniel R. Mendell and Assistant United States Attorney Alex J. Grant¹, submit this memorandum to address the issues delineated in 116.5(b)(1)-(10).

1. The government has made its automatic disclosures. There are no pending discovery requests.
2. The government has made the child pornography and electronic evidence available to the defense. Defense counsel has reviewed the child pornography evidence at the office of the investigation agency, and counsel has obtained a computer expert to review the evidence. The expert's review needs to be scheduled.
3. There may be additional discovery requests in the future based on the defendant's review of the automatic discovery.
4. A protective order has been entered.
5. The defense may file a motion to suppress.
6. The parties wish for a schedule for expert witness disclosures to be established at a subsequent status conference.

¹ The government did not reach out to defense counsel in time to prepare this document as a joint filing. The representations of this memorandum are those of the government and prior statements of defense counsel.

7. The defense does not intend to raise the defenses of insanity, public authority, or alibi at this time.

8. The parties request that the Court enter an order of excludable delay under the Speedy Trial Act from November 16, 2021 until the date of the next hearing. The continuance is necessary to allow the defense to review automatic discovery. This exclusion would serve the “ends of justice” within the meaning of 18 U.S.C. § 3161(h)(7)(A). A proposed order is attached.

9. The parties have had preliminary plea discussions.

10. The government requests that a final status conference be set for 60 days after the interim status conference.

Respectfully submitted,

NATHANIEL R. MENDELL
ACTING UNITED STATES ATTORNEY

By: /s/ Alex J. Grant
Alex J. Grant
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Alex J. Grant
ALEX J. GRANT
Assistant United States Attorney